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Attorney for Edward Smith

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,
Plaintiff,

vs.

EDWARD SMITH,

Defendant.

CASE NO: 3:15-cr-061-HDM-WGC-2

**ORDER GRANTING
STIPULATION TO EXTEND
PRESENTENCE INVESTIGATION
REPORT DEADLINE**

(First Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Due to Mr. Smith being incarcerated in Carson City, Nevada, Defense Counsel and the United States Probation Officer Jose Claro are unable to schedule the PSR interview until December 19, 2018. Consequently, Mr. Claro will require additional time after the interview to prepare the PSR before submitting it to Counsel for review.
2. The proposed change to the PSR deadline will allow the parties to maintain the current sentencing date.

3. Defense Counsel has spoken to Assistant United States Attorney, James Keller, and the Government has agreed to the extension.
4. Denial of this request for continuance would deny the Defendant the opportunity to prepare for sentencing effectively.
5. The additional time requested herein is not sought for purposes of delay.
6. Additionally, denial of this request for continuance could result in a miscarriage of justice.

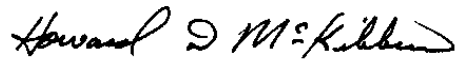
CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to prepare effectively and thoroughly for sentencing, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED that the Presentence Investigation Report currently due by December 26, 2018, shall now be due by January 18, 2019.

DATE: December 3, 2018.



UNITED STATES DISTRICT JUDGE